

**REMARKS**

Claims 1-3, 5-11, 13, and 15-33 are pending. Claims 22-27 have been allowed. Claims 1, 5, 6, 9, 11, 13, and 15 have been amended, claims 4, 12, and 14 have been canceled, and new claims 28-33 have been added to recite additional features of the invention.

Reconsideration of the application is respectfully requested for the following reasons.

In the Office Action, the Examiner indicated that claims 5, 9, and 15 would be considered allowable if rewritten into independent form to recite the features of their base and intervening claims. Claims 5, 9, and 15 have been rewritten in this manner. In view of these amendments, it is respectfully submitted that these claims and their dependent claims are in condition for allowance, along with claims 22-27.

Claims 1, 2, 4, 6, 7, 11, 12, 14, and 16-18 were rejected under 35 U.S.C. §102(b) for being anticipated by German Publication DE 29 813 462 U. This rejection is traversed for the following reasons.

Claim 1 recites broadly embodiments of the invention disclosed in the specification. In particular, claim 1 recites a clamp having first and second clamp arms, wherein "a first end of the second clamp arm moves in a first direction relative to the first clamp arm when a force is applied in a second opposing direction to a depressing portion located on a second end of the second clamp arm, said force increasing a distance between the first and second clamp arms." These features are not disclosed by the German publication.

The German publication discloses a device for mounting a mobile phone holder to a belt or other surface. The device includes a U-shaped clip 4 rotatably coupled to a retaining element 2. The retaining element is then rotatably coupled to the mobile phone holder. The retaining element 2 has a hook-shaped distal end for gripping a belt of a user, and the U-shaped clip 4 is adapted to clip to a flat surface or object.

In the Office Action, the Examiner drew a correspondence between the first and second clamp arms and the two arm portions which form U-shaped clip 4. Given this correspondence, it is clear that the German publication does not disclose the structure recited in claim 1. That is, neither arm of clip 4 includes a depressing portion which causes one of the arms to move relative to the other arm when a force is applied. Instead, as shown in Figure 3, the German publication discloses that a depressing portion is located on retaining element 2.

Because the depressing portion is located on element 2 and not on clip 4, the first and second arms of clip 4 will not move in the manner recited, i.e., the German publication does not disclose that a first end of the second clamp arm moves in a first direction relative to the first clamp arm when a force is applied in a second opposing direction to a depressing portion located on a second end of the second clamp arm as recited in claim 1. The German publication also does not disclose that said force increases a distance between the first and second clamp arms, as is further recited in claim 1.

Because the German publication does not disclose all the features in claim 1, it is respectfully submitted that the German publication cannot anticipate this claim. Applicants

further submit that these differences are sufficient to render claim 1 and its dependent claims non-obvious and thus patentable over the German publication.

Claim 11 recites that the first clamp arm comprises a base portion and the second clamp arm comprises a panel portion “coupled to at one end thereof to the base portion,” and that the clamp further comprises “a spring member disposed between the first and second clamp arms to urge the base portion and the panel portion towards one another so as to hold the belt therebetween.” The German publication does not disclose these features.

As shown in Figure 4, the German publication discloses a spring member 3 which contacts clip 4. However, this spring member is not “disposed between the first and second clamp arms to urge the base portion and the panel portion towards one another so as to hold a belt therebetween” as recited in claim 11. Instead, the spring member is located between a mounting plate 1 and an outer surface of clip 4.

Because the German publication does not disclose all the features recited in claim 11, it is respectfully submitted that the German publication cannot anticipate this claim. Applicants further submit that these differences are sufficient to render claim 11, and its dependent claims, non-obvious and thus patentable over the German publication.

New claims 28-33 have been added to the application.

Claim 28 recites that the “first and second directions are parallel to the plane extending substantially perpendicular to the front surface of the clamp.” The German publication does not disclose these features.

Claim 29 recites that the clamp further includes “a spring member adapted to bias the second clamp arm towards the first clamp arm to hold the belt therebetween when the force is released from the depressing portion.” The German publication does not disclose these features.

Claim 30 recites “a stopper located on a first end of the second clamp arm to prevent the clamp from being separated from the belt.” The German publication does not disclose these features.

Claim 31 recites that the stopper includes a hook-shaped portion. The German publication does not disclose these features. As shown in Figure 3, retaining element 2 includes a hook-shaped portion, but neither arm forming the clip 4 includes a stopper having a hook shape.

Claim 32 recites that “a terminating end of the hook-shaped portion is substantially even with a surface of the first clamp arm.” The German publication does not disclose these features.

Claim 33 recites that “the connector rotates in a plane which is at least substantially perpendicular to the plane extending substantially perpendicular to the front surface of the clamp.” (See, for example, Figure 4 of the drawings for support.) The German publication does not disclose features.

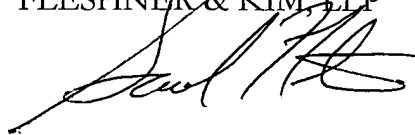
In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

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